
OLR Bill Analysis

SB 1177

AN ACT CONCERNING THE DISCLOSURE OF INFORMATION BY THE DEPARTMENT OF CHILDREN AND FAMILIES TO THE DEPARTMENT OF PUBLIC HEALTH.

SUMMARY:

This bill revises the information the Department of Children and Families (DCF) must report to the Department of Public Health (DPH) about child abuse or neglect (1) occurring in a day care center, group day care home, family day care home, or DPH-licensed youth camp or (2) involving a facility's license holder, any facility staff, or any household member of a family day care home, regardless of where the abuse or neglect occurred.

It eliminates the requirement that DCF provide all records concerning reports and investigations of suspected abuse or neglect, including records of any administrative hearings it holds. It instead requires DCF to provide such records only for reports and investigations of child abuse or neglect that have been reported to or are being investigated by DCF.

The bill also revises the information DPH must keep on its corresponding abuse and neglect list. By law, DPH must keep a list of violations it substantiates during the previous three years concerning these facilities and disclose the information on the list, with certain exceptions, upon request. The bill specifies that the information may be disclosed only if allowed by law. Information identifying children or their family members continues to be confidential.

It also eliminates the requirement that DPH include on this list DCF reports of suspected abuse or neglect at a facility that resulted or involved (1) a child's death, (2) serious physical harm or the risk of serious physical injury or emotional harm to a child, (3) child sexual abuse, (4) a person's arrest for child abuse or neglect, or (5) DCF

petitioning to commit a child to its care or terminate a parent's rights to the child. It instead requires DPH to include DCF reports of recommended findings of child abuse or neglect at a facility that meet the above criteria.

By law, if DCF subsequently notifies DPH that its (1) investigation did not substantiate the abuse or neglect or (2) finding was reversed after appeal, DPH must immediately remove the information from its list and stop disclosing the information. The bill requires DPH to also remove this information if DCF's recommended finding of abuse or neglect was reversed after a hearing and specifies that DPH must take this action only for recommended findings of abuse and neglect. It also specifies that DCF must immediately notify DPH with this information.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2011

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 28 Nay 0 (03/28/2011)